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DOC # **9119157**

DATE FILED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*Berman J*

-----X  
LOUBERT ALEXANDRE, YVON AUGUSTIN,  
MAX CHARTELAIN, WILFRED GERMAIN, CLAUDE  
LESSAGE, and JEAN PIERRE, INDIVIDUALLY AS  
OWNERS OF YELLOW CAB MEDALLIONS IN THE  
CITY OF NEW YORK AND ON BEHALF OF A CLASS  
OF ALL OWNERS SIMILARLY SITUATED, AS WELL AS  
INDIVIDUALLY, TOGETHER WITH MAMNUNUL HAQ  
and ASIM AKHTAR, AS HOLDERS OF HACK  
LICENSES IN THE CITY OF NEW YORK AND AS  
REPRESENTATIVES ON BEHALF OF A CLASS OF  
ALL HOLDERS OF HACK LICENSES IN THE CITY OF  
NEW YORK, and the NEW YORK TAXI WORKERS  
ALLIANCE,

Plaintiffs,

- against -

THE NEW YORK CITY TAXI AND LIMOUSINE COM-  
MISSION, MATTHEW DAUS, AS COMMISSIONER  
/CHAIR OF THE NEW YORK CITY TAXI AND LIMO-  
USINE COMMISSION, AND THE CITY OF NEW YORK,

Defendants.  
-----X

Civil Action No.

*07cv8175*  
*RMB*

ORDER TO SHOW CAUSE  
FOR PRELIMINARY  
INJUNCTION  
AND TEMPORARY  
RESTRAINING ORDER

Upon the affidavits of plaintiffs sworn to upon the 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> and 29<sup>th</sup> days of August, 2007, upon the Affirmation of Naureen Rashid made on upon the 19<sup>th</sup> day of September, 2007, a copy of the complaint annexed hereto and the accompanying plaintiffs' Memorandum of Law in Support of Their Motion for a Temporary Restraining Order and Preliminary Injunction, it is

✓ ORDERED, that the above named defendants show cause before the Hon. RICHARD M.

✓ BERMAN, held at Room 11C, United States Courthouse, 500 Pearl Street, in the City,

County and State of New York, on THURS., SEPT. 20, 2007, at 12:00 o'clock

✓ in the AFTER noon thereof, ~~or as soon thereafter as counsel may be heard~~, why an order should not

↑  
**FOR A CONFERENCE TO DISCUSS**

issue pursuant to Rules 65 of the Federal Rules of Civil Procedure enjoining defendants during the pendency of this action from:

1) penalizing by suspension of medallion, fine or in any other way, plaintiffs Alexandre, Augustin, Chartelain, Germain, Lessage, Pierre, or any other owner-operator similarly situated to them, for failing to sign a contract by August 1, 2007 to install the Taxi Technology System ("TTS") in their yellow medallion taxicabs;

2) penalizing by suspension of hack license, fine, or in any other way, all plaintiffs, and any other taxi driver similarly situated, for failing to present at TLC mandated safety inspections held after October 1, 2007, vehicles which are equipped with TTS technology; and it is further

~~ORDERED, that sufficient reason having been shown therefor, pending the hearing of plaintiffs' application for a preliminary injunction pursuant to Rule 65, Fed. R. Civ. P., defendants are temporarily restrained and enjoined from conducting hearings now scheduled to take place as early as September 20, 2007 to penalize by suspension of medallion, fine or in any other way, against plaintiffs Alexandre, Augustin, Chartelain, Germain, Lessage, Pierre, or any other owner-operator similarly situated to them, for failing to sign a contract by August 1, 2007 to install the Taxi Technology System ("TTS") in their yellow medallion taxicabs;~~

RMB

ORDERED that service of a copy of this Order and all related papers upon defendants' counsel via hand delivery <sup>and fax</sup> ~~or overnight mail~~ before 4:30 o'clock in the ~~after~~ <sup>ON SEPT. 19, 2007</sup> noon shall be

deemed good and sufficient service thereof. **DEFENDANTS' WRITTEN RESPONSE IS DUE by 7:30 P.M. on Sept 19, 2007 (unless adjourned by the Court in writing) by FAX**

ORDERED that because the relief sought herein carries no risk of monetary loss to defendants no bond shall be posted.

DATED: September 19, 2007  
New York, New York

RMBERMAN

U.S.D.J.

① Parties directed to maintain the status quo until the conference +

② Parties directed to engage in good faith settlement negotiations PRIOR to the Conference  
\* No hearings, etc.

RMB